

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
April 3, 2018

Casper City Council met in regular session at 6:00 p.m., Tuesday, April 3, 2018. Present: Councilmembers Hopkins, Humphrey, Johnson, Laird, Morgan, Powell, Walsh and Mayor Pacheco. Absent: Councilmember Huber.

Moved by Councilmember Johnson, seconded by Councilmember Hopkins, to, by minute action, excuse the absence of Councilmember Huber. Motion passed.

Mayor Pacheco led the audience in the Pledge of Allegiance.

Moved by Councilmember Humphrey, seconded by Councilmember Powell, to, by minute action, approve the minutes of the March 20, 2018, regular Council meeting, as published in the Casper-Star Tribune on March 28, 2018. Motion passed.

Moved by Councilmember Walsh, seconded by Councilmember Johnson, to, by minute action, approve the minutes of the March 21, 2018, special Council meeting, as published in the Casper-Star Tribune on April 1, 2018. Motion passed.

Moved by Councilmember Morgan, seconded by Councilmember Hopkins, to, by minute action, approve the minutes of the March 27, 2018, special Council meeting, as published in the Casper-Star Tribune on April 2, 2018. Motion passed.

Moved by Councilmember Powell, seconded by Councilmember Morgan, to, by minute action, approve the minutes of the March 20, 2018, executive session. Motion passed.

Moved by Councilmember Walsh, seconded by Councilmember Morgan, to, by minute action, approve the minutes of the March 21, 2018, executive session. Motion passed.

Moved by Councilmember Hopkins, seconded by Councilmember Powell, to, by minute action, approve payment of the April 3, 2018, bills and claims, as audited by City Manager Napier. Councilmember Morgan abstained from voting on invoices pertaining to his reimbursement for expenses. Motion passed.

	Bills & Claims	
	04/03/18	
5TrailsRotary	Services	\$400.00
A-1	Services	\$260.00
AakerSigns	Goods	\$224.00
ABaedke	Reimb	\$32.61
AllianceElec	Services	\$1,796.00
AMBI	Services	\$304.43
Ameritech	Services	\$20,926.36
AndrnHunt	Services	\$108,470.00

ArcofNC	Funding	\$12,491.75
ArrowheadHeating	Services	\$10,834.29
Balefill	Services	\$65,441.23
BankOfAmerica	Goods	\$295,162.45
BarDSigns	Goods	\$89.60
BHEnergy	Services	\$33,603.46
CAEDA	Funding	\$105,050.46
CasperHousingAuth	Projects	\$46,232.94
CasperMtnFireDistrict	Services	\$7,500.00
CasperPubSafetyComm	Services	\$3,195.02
CATC	Funding	\$111,073.64
CentralPaint&Body	Services	\$225.00
Centurylink	Services	\$391.72
ChildrensAdvocacyProject	Funding	\$10,000.00
CIGNA	Services	\$11,982.40
CityofCasper	Services	\$11,481.66
ClimbWy	Funding	\$39,825.75
CommTech	Goods	\$1,714.00
CommunityActionPartnership	Funding	\$64,261.67
Comtronix	Services	\$183.00
CrimeSceneInfo	Services	\$86.25
Dell	Goods	\$48,575.01
DeltaDental	Services	\$26,794.02
DesertMtn	Goods	\$20,017.99
DFerguson	Reimb	\$64.99
DGarland	Reimb	\$75.00
DooleyOil	Fuel	\$33,648.56
DoubleDWelding	Services	\$3,862.50
DPCIndustries	Goods	\$6,469.88
FirstData	Services	\$4,159.89
FirstInterstateBank	Services	\$233.00
FischerAutoBody	Services	\$1,534.43
FmlyJrnyCtr	Services	\$1,808.12
GlobalSpect	Funding	\$604.80
GolderAssociates	Services	\$1,440.00
GSGArchitecture	Services	\$7,083.75
HDR Engineering	Projects	\$4,046.73
Hein-Bond	Services	\$41,822.19
Hitek	Services	\$4,722.00
Homax	Goods	\$29,280.61
ITCElec	Services	\$925.05
JFerguson	Refund	\$18.47
JMorgan	Reimb	\$1,455.27

KHawthorne	Refund	\$500.00
KimleyHorn	Services	\$9,498.05
KRollison	Reimb	\$51.99
KTrujillo	Refund	\$47.37
KTWO-TV	Services	\$1,560.00
LdrsEdgeConsulting	Services	\$292.13
LnclnNtlLife	Services	\$267.27
LongBuildingTech	Services	\$3,820.15
MGao	Refund	\$55.47
MGOilCo	Fuel	\$5,577.00
Nalco	Supp	\$16,200.00
NationalBenefitServices	Services	\$883.60
NCHealth Dept	Funding	\$45,000.00
NCHealthDept	Funding	\$50.00
NCSheriffsOffice	Funding	\$165,019.44
OhlsonLavoie	Services	\$543.00
OneCallofWy	Services	\$220.50
Pepsi	Goods	\$357.36
Pntwrks	Services	\$63.95
PoliceDept	Services	\$270.70
PorterMuirhead	Services	\$56,550.00
PostalPros	Services	\$5,225.86
PvrtyRestncFoodPntry	Funding	\$5,500.93
QqestSoftware	Services	\$7,900.00
Raftelis	Services	\$1,044.05
ResourceManagement	Goods	\$1,633.50
Ricoh	Svc	\$59.74
RkyMtnAccreditationNet	Membership	\$200.00
RockyMtnPower	Services	\$122,023.84
SamParsonsUpholstery	Services	\$773.63
SBrauchie	Reimb	\$98.00
SkylineRanches	Services	\$586.61
StarTribune	Services	\$298.44
StealthPartnerGroup	Services	\$55,473.18
SunburstProperties	Refund	\$23.92
SWendling	Refund	\$54.15
SWolff	Refund	\$7.76
TBuckallew	Reimb	\$300.00
TCortez	Reimb	\$734.44
TNostrum	Refund	\$51.62
TrihydroCorp	Projects	\$5,740.00
TYauger	Refund	\$5.29
UvDoctorLamps	Goods	\$4,859.02

UW	training	\$390.00
Viewpoint	Services	\$2,160.00
VisionServicePlan	Services	\$1,536.40
WAhrndt	Reimb	\$173.49
WasteOilFurnaces	Supp	\$9,651.00
WasteWaterTreatment	Funding	\$318,315.54
WERCSCommunications	Services	\$99.00
WesternWaterConsult	Services	\$6,100.71
WestlandPark	Services	\$2,686.12
WorthingtonLenhart&Carpenter	Services	\$23,201.18
WstrnStsFire	Supp	\$850.92
Wycomp	Services	\$1,160.20
		\$2,087,628.47

Mayor Pacheco welcomed representatives from Serve Wyoming. Nuriéh Glasgow, a representative from Serve Wyoming, gave background about the organization and recognized other members of the National Service team, Ameri Corps and Senior Corps. Mayor Pacheco then read a proclamation recognizing the hard work of these organizations and declaring April 3 as National Service Recognition Day.

Moved by Councilmember Humphrey, seconded by Councilmember Powell, to, by minute action: establish April 17, 2018, as the public hearing date for the consideration of rates for retail and wholesale water and sewer service, and for residential and commercial solid waste collection, recycling, and disposal at the Casper Solid Waste Facility; new Resort Liquor License No. 7 for Avana Fund I, LLC d/b/a Ramada Plaza Riverside Hotel & Convention Center Casper, located at 300 West F Street; and disposition options for the former Plains Furniture properties. Motion passed.

Mayor Pacheco opened the public hearing for the consideration of the mobile vendor parking permit (MVPP).

City Attorney Henley entered two (2) exhibits: correspondence from Fleur Tremel to J. Carter Napier, dated March 23, 2018 and an affidavit of publication, as published in the Casper-Star Tribune, dated April 3, 2018. City Manager Napier provided a brief report.

Pat Sweeney, 951 N. Kimball, asked Council about the MVPP and David Street Station.

Speaking in opposition to the MVPP were: Colby Frontiero, 2816 S. Poplar; Jason Booth, 3400 Navarre; Shawn Houck, 602 S. Park; Ticker Lock, 1009 N. Jefferson; Rob Caputa, 3200 Bella Vista; Kirsten Bott, 1810 Woolwick; Amy Virachack, 1305 S. Cottonwood; Dennis Steensland, 533 S. Washington; Britnee Miller, 354 N. Nebraska; Deanna Bradshaw, Rolling Hills; Susan Oaks, 6753 Poison Spider; James Andrews, 1113 Beech; and Jeremy Bott, 1810 Woolwick. Although these citizens spoke in opposition, many supported portions of the ordinance and offered suggestions or improvements.

There being no others to speak for or against the issues involving the mobile vendor parking permit, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 4-18
AN ORDINANCE ESTABLISHING MOBILE VENDOR
PARKING.

Councilmember Johnson presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Morgan.

Councilmembers discussed the matter at length. Councilmember Morgan asked about leased parking lots not being specifically listed in the ordinance and City Attorney Henley addressed his question. After further discussion Councilmember Walsh moved to amend the ordinance. Seconded by Councilmember Johnson. The amendments to the ordinance include the following: limiting the MVPP to the serpentine streets from Durbin to David Street; setting the hours to reflect the parking restrictions already in place downtown; removing the five (5) day notice for applications; and ensuring that applicants have a City-wide yearly registration.

Council discussed the matter at length and asked Councilmember Walsh questions in order to clarify the details of the proposed amendments. Councilmember Morgan asked about sidewalk cafes and seasonal use of mobile vendor parking, and City Attorney Henley addressed the question. Councilmember Humphrey asked about licensing fees and City Manager Napier addressed the question. Councilmember Laird indicated he would like to see the amendments in writing and asked what the process would be to table the item. Mayor Pacheco indicated that once the amendments were voting on, someone could make a motion to table. City Attorney Henley confirmed. Councilmember Powell called for the question. Councilmember Hopkins requested a summary of the amendments before the vote. City Attorney Henley indicated that the following items were in the motion to amend: limiting the MVPP to the downtown area, setting the hours to match the current parking restrictions, withdrawing the five (5) day notice requirement; and ensuring that applicants have a City-wide yearly registration. Councilmembers Laird and Morgan voted nay to the amendments. Motion to amend the ordinance passed.

Councilmember Laird moved to table the item, seconded by Councilmember Humphrey. Councilmember Morgan expressed concern about tabling the item. Councilmember Laird started to clarify his motion. City Manager Napier called point of order and recommended that Council vote on the motion to table. Councilmembers Humphrey and Laird voted aye to table the ordinance. Motion to table failed.

Councilmember Morgan moved to amend the ordinance to change the number of permits issued per month from eight (8) to ten (10). Seconded by Councilmember Powell. Councilmembers Hopkins and Humphrey voted nay. Motion to amend the ordinance passed.

Councilmember Morgan spoke on other items but had no further amendments.

Councilmember Laird made a motion to allow parking in alleys. Motion died for a lack of a second.

Mayor Pacheco asked Council to vote on the ordinance as amended by Councilmembers Walsh and Morgan. Councilmembers Humphrey and Laird voted nay. Motion passed.

Mayor Pacheco opened the public hearing for the consideration of the transfer of ownership, operation, and maintenance of the Hanly Acres Subdivision water system to the Town of Mills.

City Attorney Henley (2) exhibits: Correspondence from Andrew Beamer, to J. Carter Napier, dated March 29, 2018, and an Affidavit of Publication, as published in the Casper-Star Tribune, dated April 2, 2018. City Manager Napier provided a brief report.

There being no one to speak for or against the report, the public hearing was closed. Mayor Pacheco noted that no action was required by Council this evening on this matter.

The following ordinance was considered, on third reading, by consent agenda.

ORDINANCE NO. 3-18

AN ORDINANCE AMENDING SECTION 17.12.120 OF THE CASPER MUNICIPAL CODE PERTAINING TO FENCES, WALLS, HEDGES, SHRUBS, TREES, ACCESSORY BUILDINGS AND ACCESSORY USES.

WHEREAS, at the November of 2017, City Council instructed Community Development to amend the above listed Ordinance to allow "buffering" for residential properties that abut Commercial, Business, Industrial, and Multi-use areas,

WHEREAS, as the City has continually implemented the fencing Code, it has been necessary at times to amend the regulations in order to allow flexibility in design reviews of new and/or potential projects; and,

WHEREAS, the current Code in form does not allow residential properties to erect a buffering fence between the residential property and the Commercial, Business, Industrial, or Multifamily use areas to improve compatibility,

WHEREAS, the proposed amendment allows the residential property owner to erect a buffering fence abutting the Commercial, Business, Industrial, or Multifamily use property and the residential property owners cost,

WHEREAS, the Planning and Zoning Commission has reviewed and approved the proposed amendment to the Fencing Ordinance,

WHEREAS, it is the desire of the governing body of the City of Casper to amend Section 17.12.120 of the Casper Municipal Code pertaining to fences, walls, hedges, shrubs trees, accessory buildings, and accessory uses,

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

SECTION 1:

Section 17.12.120 is hereby amended to add subsection "J" and renumber as follows:

17.12.120 Fences, walls, hedges, shrubs, trees, accessory buildings, and accessory uses.

I. A fencing "buffer" will be allowed for residential uses that abut a Commercial, Business, Industrial, or Multi-family use, in order to improve compatibility between the properties as follows:

1. All fence buffering shall be at the sole cost and expense of the resident owning the property immediately abutting the properties as described above.

2. The "buffering" fence may run along, and the full length of the common property line and must be in compliance with section 17.12.120 (H). The remaining sides of the residential property must be fenced in compliance with subsections A through G of this section.

3. Shall be constructed with a valid fence/accessory building permit for a fence with a height of up to six feet, and a valid building permit for fences that are constructed over six feet in height to a maximum eight feet. Both types of permits are obtained through the Community Development Department.

4. Shall meet all other requirements of the Municipal Code for the area/zoning on which the property is located.

J. Tree branches which overhang the public sidewalk or which are located within the right-of-way triangle, identified in Figure 17.12.120 of this section, shall be kept trimmed to a height of at least eight feet above the sidewalk. Tree branches which overhang the public streets or alley shall be trimmed to a height of not less than fifteen feet above the street or alley.

SECTION 2:

This ordinance shall be in full force and effect from and after passage on three readings and publication.

PASSED on 1st reading the 6th day of March, 2018

PASSED on 2nd reading the 20th day of March, 2018.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 3rd day of April, 2018.

Councilmember Hopkins presented the one (1) foregoing consent agenda ordinance for adoption, on third reading. Seconded by Councilmember Johnson. Motion passed.

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 18-61

A RESOLUTION PROMOTING SAFE SCHOOLS.

RESOLUTION NO. 18-62

A RESOLUTION AUTHORIZING AN AGREEMENT WITH INSTALLATION AND SERVICE CO., INC., FOR THE SOLID WASTE FACILITY ASPHALT IMPROVEMENTS, PROJECT NO. 17-035.

RESOLUTION NO.18-63

A RESOLUTION AUTHORIZING AN AGREEMENT WITH HIGH PLAINS CONSTRUCTION, INC., MCKINLEY STREET RAILROAD UNDERPASS STORM AND SANITARY SEWER IMPROVEMENTS, PROJECT NO. 15-35.

RESOLUTION NO. 18-64

A RESOLUTION AUTHORIZING AN AGREEMENT WITH DURAPLAY, INC., FOR THE AQUATIC CENTER RUBBER FLOORING PROJECT NO. 18-023.

RESOLUTION NO. 18-65

A RESOLUTION REQUESTING A PROPERTY TRANSFER FROM THE WYOMING STATE TRANSPORTATION COMMISSION TO THE CITY OF CASPER, AND APPROVING AN AGREEMENT OF ACCEPTANCE.

RESOLUTION NO. 18-66

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CASPAR BUILDING SYSTEMS, INC., FOR THE BALER BUILDING / MRF EXPANSION, PROJECT NO. 13-50.

RESOLUTION NO. 18-67

A RESOLUTION AUTHORIZING AN AGREEMENT WITH R&R REST STOPS FOR THE PARKS DIVISION PORTABLE TOILET PROJECT.

RESOLUTION NO. 18-68

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CASPER AREA METROPOLITAN PLANNING ORGANIZATION AND WORTHINGTON, LENHART & CARPENTER, INC. FOR A NATRONA COUNTY REGIONAL GEOSPATIAL COOPERATIVE CONTROL NETWORK MODERNIZATION PROJECT IN AN AMOUNT OF SEVENTY-ONE THOUSAND DOLLARS (\$71,000).

Councilmember Johnson presented the foregoing eight (8) resolutions for adoption. Seconded by Councilmember Laird. Councilmember Hopkins abstained from voting on Resolution No. 18-61. Motion passed.

Moved by Councilmember Humphrey, seconded by Councilmember Laird, to, by consent minute action, authorize the purchase of one (1) new mid-size Police utility vehicle, from Fremont Motor Company, in the amount of \$36,928; and approve the transfer of ownership for Restaurant Liquor License No. 31, Himalayan Indian Cuisine, LLC, d/b/a Himalayan Indian Cuisine. Motion passed.

Individuals addressing the Council were: Dale Zimmerle, 3035 Bellaire, requesting that Council focus spending on basic services; Woody Giles, 290 E. Magnolia, suggesting that competition will smooth out the MVPP and urging Council not to regulate; Pat Sweeney, 951 N. Kimball, stressing the importance and need for optional one cent funding; Leann Miller, 1510 S. Cedar, clarifying the current license fee for food trucks; and Shawn Houck, 602 S. Park, thanking Council for their consideration of the MVPP.

Mayor Pacheco noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, April 10, 2018, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, April 17, 2018, in the Council Chambers.

Moved by Councilmember Humphrey, seconded by Councilmember Walsh, to, by minute action adjourn. Motion passed.

The meeting was adjourned at 8:43 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Ray Pacheco
Mayor